

Amendments to the Drawings:

The drawing sheet attached in connection with the above-identified application containing Figures 14 and 15 are being presented as a replacement drawing sheet to be substituted for the previously submitted drawing sheet. The drawing Figure 15 has been amended.

The specific change which has been made to Figure 15 is the replacing of reference numeral “4” with “111.”

REMARKS

Claims 1-27 were pending in the application. Claims 1, 13, 14 and 16 have been amended. No claims have been canceled. Claims 28-30 have been added. Support for new claim 28 may be found, among other places, in paragraphs [0006] to [0010] and Fig. 2. Therefore, claims 1-30 are now pending in the application. Reconsideration of the application is requested for at least the reasons that follow.

The Examiner's acknowledgment of the claim for foreign priority, as well as the Information Disclosure Statements filed July 22, 2003 and January 22, 2004, is appreciated. Applicants are also filing herewith certified copies of the original foreign application, of which the present applications claims priority.

Drawings

Figure 15 has been amended to correct a minor informality. Specifically, reference numeral "4" has been changed to "111," as indicated in the specification at paragraph [0078].

Allowable Subject Matter

The indication that claims 13 and 16-23 contain allowable subject matter is greatly appreciated. Claims 13 and 16 have been rewritten into independent format and, therefore, claims 13, 16 and dependent claims 17-23 are in condition for allowance.

Rejections

Claims 1-4, 6-12, 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,462,308 ("Seki"). The rejection should be withdrawn because Seki does not disclose, teach or suggest the claimed invention. For example, Seki does not disclose, teach, or suggest an occupant side-impact protection device with a strap that is "tensioned between a first point located toward a front portion of the protection element and a second point located toward a rear portion of the protection element," as recited in amended claim 1.

The Office Action states that Seki discloses a tensioning strap 26. *See* Office Action at p. 2. However, the tensioning strap 26 does not extend between first and second points that are located "toward a front portion of the protection element and ... toward a rear portion of the protection element," respectively. On the contrary, the tensioning strap 26 only extends

down along the same center pillar 13. *See* Seki at col. 4, lines 1-5 and Fig. 2. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 2-4, 6-12, 14 and 15 depend from claim 1 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable limitations set forth in these dependent claims.

Claims 1, 5, 6 and 24-27 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,375,216 (“Eschbach”). The rejection should be withdrawn because Eschbach does not disclose, teach or suggest the claimed invention. For example, Eschbach does not disclose, teach, or suggest an occupant side-impact protection device with “a tensioning strap configured so that ... [the strap] forms an obstacle against which an outwardly directed rear side of the unfolded protection element is supported,” as recited in amended claim 1.

The Office Action states that Eschbach discloses an unfoldable protection element 15 and a tensioning strap 35. On the contrary, reference numeral 35 relates to a “horizontal tension line.” The line 35 is drawn with hatching “to represent the taut surface of the gas bag 15.” Eschbach at col. 4, lines 11-12. Line 35 is not a “tensioning strap.” Rather, Line 35 is a mere figurative representation of the tautness of the gas bag 15. Line 35 is not a “tensioning strap.”

Furthermore, the line 35 could not form “an obstacle against which an outwardly directed rear side of the unfolded protection element is supported,” as recited in claim 1. A line can not support the protection element. Therefore, reconsideration and withdrawal of the rejection is respectfully requested.

Claims 5, 6 and 24-27 depend from claim 1 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable limitations set forth in these dependent claims.

New claims 28-30 depend from claim 1 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable limitations set forth in this dependent claim.

Conclusion

Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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